

### REMARKS

In this reply, Claims 1-3, 7-10, 19-22, 25-29, 36-38, 41-45, 54-56, 59-63 are amended. No claims are cancelled or added. Therefore, Claims 1-71 are pending in the application. The amendments to the claims as indicated herein do not add any new matter to this application.

### SUPPORT FOR AMENDMENTS

Support for the amendments to the claims may be found in at least paragraphs [0039], [0040], [0043], and [0049].

### CLAIM REJECTIONS—35 U.S.C. § 102

Claims 1, 3-12, 15-20, 22-31, 34-36, 38-47, 50-54, 56-65, and 68-71 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Kumhyr (U.S. Patent Publication No. U.S. 2003/0041251 A1), hereinafter "Kumhyr". This rejection is respectfully traversed.

Among other features, Claim 1, as amended, recites "if the password does not meet the quality criteria, granting a different level of access than if the password meets the quality criteria". Kumhyr does not suggest or disclose at least the quoted features of Claim 1.

First, the Office Action appears to analogize the "word" of Kumhyr to the "password" of Claim 1. However, this analogy is incorrect for reasons discussed below. Second, Kumhyr does not suggest granting a different level of access at all, much less granting a different level of access in the manner recited in the quoted portions of Claim 1.

The Office Action alleges (p.3) that paragraph [0026] of Kumhyr discloses "checks the password for compliance with format specification". The Office Action also alleges that paragraph [0027] of Kumhyr discloses "wherein if the password does not comply, a responsive action is taken". Paragraph [0026] of Kumhyr actually discloses, among other things, that (emphasis added) "At block 355, the password generator checks the **word** for

compliance with the password format specification”. Also, paragraph [0027] of Kumhyr actually discloses, among other things, that (emphasis added) “On the other hand, if the **word** does not comply with the password format specification, then the “Not OK” branch is taken to block 360.” Thus, the Office Action appears to analogize the “word” of Kumhyr to the “password” of Claim 1. However, this analogy is incorrect.

Kumhyr teaches, in paragraph [0005], that (emphasis added) “The invention **generates a password**, by receiving an easily-remembered preferred **word** from a user, translating said preferred word to produce a password, and providing said password to an application”. Kumhyr states very clearly what is a password in Kumhyr. Kumhyr teaches that the password is generated by the password generator. The generated password is provided to a target application, not the “word” which is received from the user. Thus, the “word” of Kumhyr is **not a password at all**, and one of ordinary skill in the art would not recognize the “word” of Kumhyr as a password.

That the “word” of Kumhyr is not a password is made even more clear because “the user might be able to remember the resulting password, and be able to enter the password directly sometimes, without using the generator.” (Paragraph [0007] of Kumhyr.) In other words, Kumhyr teaches that the user can remember the generated password, and be able to enter the generated password directly to the target application, **thereby bypassing use of the “word”**. If Kumhyr teaches that the user can access the target application using what Kumhyr describes as a password, **without even using the “word”**, then the “word” of Kumhyr cannot be analogized to the “password” as recited in Claim 1.

Even using the Office Action's incorrect analogy of the “word” of Kumhyr to the “password” of Claim 1, Kumhyr still does not suggest or disclose the quoted features of Claim 1. Paragraph [0027] of Kumhyr teaches that:

“[0027] On the other hand, if the word does not comply with the password format specification, then the "Not OK" branch is taken to block 360. At block 360, the password generator conforms the word to the password format specification. For example, the number of characters may need to be adjusted, or special characters may need to be inserted; this depends on the required password format. At block 370, the password generator sends the password to the target application.”

However, Claim 1, as amended, recites that (emphasis added) “**if** the password does not meet the quality criteria, **granting** a different level of access than if the password meets the quality criteria”. Kumhyr teaches that **if** the “word” does not comply with the password format specification, the password generator **conforms** the “word” to the password format specification. Conforming the “word” to the password format specification in Kumhyr is not granting a different level of access than if the password meets the quality criteria as recited in Claim 1.

The rejection of Claim 1 is respectfully traversed. Reconsideration is respectfully requested.

Claims 19, 20, 36, and 54 are each independent claims that recite features similar to the features of Claim 1 already distinguished above. Claims 19, 20, 36, and 54 are therefore each patentable for the same reasons as discussed herein for Claim 1. The rejections of each of Claims 19, 20, 36, and 54 are respectfully traversed. Reconsideration is respectfully requested.

CLAIM REJECTIONS—35 U.S.C. § 103

Claims 2, 21, 37, and 55 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kumhyr in view of Wood et al. (U.S. Patent 6,944,761), hereinafter "Wood". This rejection is respectfully traversed.

Among other features, Claim 2 recites (emphasis added) "if **the password meets the quality criteria**, granting to the user **a first level of access** to the service, wherein the first level of access to the service is associated with the quality criteria; if **the password meets a second quality criteria**, granting to the user **a second level of access** to the service, wherein the second level of access to the service is associated with the second quality criteria, wherein the second quality criteria is distinct from the quality criteria and wherein, if a particular password meets the quality criteria, then the password meets the second quality criteria."

Neither Wood nor Kumhyr, individually or in combination, suggests or discloses at least the quoted features of Claim 2. The Office Action does not allege that Kumhyr discloses the quoted features of Claim 2. Instead, the Office Action alleges that Wood discloses the features of Claim 2. The Office Action alleges (p. 27) that "Wood teaches granting different levels of trust level based on the authentication information (passwords)". The Office Action cites column 17, lines 45-60, and appears to analogize "credentials" of Wood with "passwords" of Claim 2. However, even according to the analogy of the Office Action, the combination of Wood and Kumhyr does not suggest or disclose the quoted features of Claim 2.

In particular, Wood teaches that (emphasis added) "the log-on service allows **additional** credentials to be provided to authenticate at the higher trust level." (Col. 2, lines 65-67.) Also, Wood teaches that (emphasis added) "In response to an access request requiring a second authentication level higher than the first, the common log-on service

**obtains a second credential** for the client entity, authenticates the client entity thereby, and upgrades the session to the second authentication level without loss of session continuity.” (Col. 4, lines 9-15.) Thus, Wood requires obtaining an **additional** password in order to upgrade the session to the second authentication level. Claim 2 recites, however, “**if the password meets the quality criteria, granting to the user a first level of access...**” and “**if the password meets a second quality criteria, granting to the user a second level of access...**”. Claim 2 does not require an additional password, unlike Wood.

Therefore, the rejection of Claim 2 is respectfully traversed. Reconsideration is respectfully request.

Claims 21, 37, and 55 each depends from an independent claim. Claims 21, 37, and 55 therefore each inherits the features of the independent claim from which the claim depends. The Office Action does not even allege that Wood suggests or discloses the distinguished features of the independent claims. Claims 21, 37, and 55 are therefore each patentable for the same reasons as the independent claim from which the claim depends. The rejections of Claims 21, 37, and 55 are respectfully traversed. Reconsideration is respectfully requested.

Claims 13, 32, 48, and 66 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kumhyr in view of Hurley (U.S. Publication No. U.S. 20040250139 A1), hereinafter “Hurley”. This rejection is respectfully traversed.

Claims 13, 32, 48, and 66 each depends from an independent claim. Claims 13, 32, 48, and 66 therefore each inherits the features of the independent claim from which the claim depends. The Office Action does not even allege that Hurley suggests or discloses the distinguished features of the independent claims. Claims 13, 32, 48, and 66 are therefore each patentable for the same reasons as the independent claim from which the claim depends. The

rejections of 13, 32, 48, and 66 are respectfully traversed. Reconsideration is respectfully requested.

Claims 14, 33, and 67 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kumhyr in view of Casco-Arias et al. (U.S. Publication No. U.S. 2004/0250141 A1), hereinafter "Casco-Arias". This rejection is respectfully traversed.

Claims 14, 33, and 67 each depends from an independent claim. Claims 14, 33, and 67 therefore each inherits the features of the independent claim from which the claim depends. The Office Action does not even allege that Casco-Arias suggests or discloses the distinguished features of the independent claims. Claims 14, 33, and 67 are therefore each patentable for the same reasons as the independent claim from which the claim depends. The rejections of Claims 14, 33, and 67 are respectfully traversed. Reconsideration is respectfully requested.

#### REMAINING CLAIMS

The pending claims not discussed so far are dependant claims that depend on an independent claim that is discussed above. Because each of the dependant claims include the features of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. Removal of the rejections with respect to the dependant claims and allowance of the dependant claims is respectfully requested. In addition, the dependent claims introduce additional features that independently render them patentable. Due to the fundamental differences already identified, a separate discussion of those features is not included at this time.

## CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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